

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TAHTIANA JADE BROWN,
Plaintiff,
v.
LUCIDWORKS, et al.,
Defendants.

No. 2:25-cv-0607-DC-CKD (PS)

ORDER

Plaintiff Tahtiana Brown proceeds without counsel and seeks relief related to alleged employment discrimination. On July 29, 2025, the court quashed service, granted motions to dismiss filed by the defendants, dismissed one defendant from the case, and granted plaintiff leave to file an amended complaint limited to her employment discrimination claims. (ECF No. 7 at 4.) The court directed the Clerk of the Court to re-issue summonses after the filing of an amended complaint and extended the time for service of process of the amended complaint. (*Id.* at 4-5.) Plaintiff did not timely file an amended complaint.

On September 15, 2025, defendants filed a motion to dismiss under Federal Rule of Civil Procedure 41(b). (ECF No. 28.) Plaintiff did not timely file an opposition to the motion to dismiss. See Local Rule 230(c).

Plaintiff's failure to timely file an opposition or statement of non-opposition to the motion to dismiss violates Local Rule 230(c). The court will provide plaintiff with a further opportunity

1 to respond to the pending motion within 14 days after service of this order. Plaintiff is cautioned
2 that any further failure to respond will be construed as a non-opposition to the granting of the
3 motion.

4 Local Rule 230(c) states “[n]o party will be entitled to be heard in opposition to a motion
5 at oral arguments if opposition to the motion has not been timely filed by that party[.]” Plaintiff’s
6 failure to timely file the opposition has delayed the briefing schedule, and the hearing set for
7 October 22, 2025, will be vacated. If the court subsequently determines that oral argument would
8 be beneficial, the parties will be notified accordingly.

9 In accordance with the above, IT IS ORDERED as follows:

10 1. The hearing on the motion to dismiss set to take place on October 22, 2025, is
11 VACATED.

12 2. Plaintiff shall file a written opposition (or a statement of non-opposition) to the
13 motion to dismiss within 14 days after service of this order. Failure to do so will
14 be deemed a non-opposition and consent to the granting of the motion and will
15 result in a recommendation that plaintiff’s claims be involuntarily dismissed with
16 prejudice pursuant to Federal Rule of Civil Procedure 41(b).

17 3. Defendants may file a written reply to any opposition filed by plaintiff within 10
18 days of plaintiff’s filing. At the conclusion of the briefing schedule, the motion to
19 dismiss will be decided without oral argument pursuant to Local Rule 230(c) and
20 230(g).

21 Dated: October 7, 2025


22 CAROLYN K. DELANEY
23 UNITED STATES MAGISTRATE JUDGE

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